

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHARLENE CARTER,

Plaintiff,

V.

SOUTHWEST AIRLINES CO., AND
TRANSPORT WORKERS UNION OF AMERICA,
LOCAL 556,

Defendants.

Civil Case No. 3:17-cv-02278-X

UNOPPOSED MOTION TO EXTEND CURRENT PRETRIAL DEADLINES AND TRIAL SETTING

Southwest Airlines Co. (“Southwest”) and the Transport Workers Union of America, Local 556 (“Local 556”), (hereinafter sometimes referred to herein jointly as “Defendants”) file this Unopposed Motion to Extend the Current Pretrial Deadlines and Trial Setting as set forth in the Court’s Amended Scheduling Order dated November 4, 2021 (*see* dkt. no. 212.). In support of this Motion, Defendants state as follows:

1. Plaintiff Charlene Carter (“Carter”) originally filed this lawsuit on August 25, 2017 against Defendants Southwest and Local 556. Her complaint, as originally pled and amended thereafter, alleges claims for discrimination and retaliation under Title VII of the Civil Rights Act of 1964 and the Railway Labor Act (“RLA”), specifically Section 152 3rd & 4th of the RLA.

2. On November 4, 2021, the Court entered an amended Scheduling Order setting forth deadlines for the remainder of the case. The amended Scheduling Order set the case for trial on the Court's two-week docket beginning April 18, 2022, provided for a pre-trial conference of

April 11, 2022, and set forth other pre-trial deadlines associated with motions *in limine*, a Joint Pre-Trial Order, and witness and exhibit lists.

3. Defendants remain mindful that the Scheduling Order also provides that the Court will review with disfavor any request for extensions of its deadlines absent a showing of good cause. Defendants respectfully submit that “good cause” exists for the relief requested in this unopposed motion.

4. Specifically, both Defendants and Plaintiff have filed summary judgment motions in which each party maintains there is no issue of material fact as to claims plead by Carter in this case. The briefing on the parties’ respective motions was complete as of October 18, 2021.

5. Defendants remain concerned that, given the number and length of the parties’ summary judgment filings, it may be unlikely that the Court would be able to reach a decision on the dispositive motions prior to the deadlines for pre-trial filings as set forth in the Court’s amended Scheduling Order. As such, Defendants respectfully seek the extension requested herein to provide the Court with adequate time to rule on the parties’ dispositive motions and to avoid the likely contingency wherein they would be preparing for trial, including preparation of pre-trial pleadings, while the dispositive motions remain pending. To avoid the expense and disruption of witness schedules necessitated by trial preparation in a case where all sides have argued that there is no material issue of disputed fact, Defendants hereby respectfully request that the Court stay the pre-trial deadlines and trial setting in its November 4, 2021 Scheduling Order.

6. Defendants are not seeking an indefinite extension of the current trial and pretrial settings. Rather, Defendants seek a two month’s extension, consistent with the Court’s docket, of the current pretrial and trial settings. In conferring with counsel for Plaintiff, he indicated that he does not oppose this motion as long as the requested extension is limited to two months.

7. This Motion is not filed for the purposes of delay but rather so that justice might be served.

Defendants therefore hereby request that the Court enter the attached order and grant their unopposed motion to extend the current trial setting and pretrial deadlines consistent with this motion and the order and any other relief, at law or in equity, to which the Court finds the Parties justly entitled.

Dated: February 15, 2022

Respectfully submitted,

/s/ Paulo B. McKeeby

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF CONFERENCE

On the 14th day of February, 2022, Paulo McKeeby, counsel for Defendant Southwest Airlines Co., conferred with Matthew Gilliam, counsel for Plaintiff, regarding the substance of this Motion. Mr. Gilliam stated that Plaintiff is not opposed to the relief requested in this Motion to extend the trial and pretrial deadlines.

/s/ Paulo B. McKeeby
Paulo B. McKeeby

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been filed via the Court's ECF system and all counsel of record have been served on this 15th day of February, 2022.

/s/ Paulo B. McKeeby
Paulo B. McKeeby